

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>TIME INSURANCE COMPANY</b>	§	<b>PLAINTIFF</b>
	§	
<b>v.</b>	§	<b>Civil Action No. 1:08cv16HSO-JMR</b>
	§	
<b>LARRYE J. WHITE</b>	§	<b>DEFENDANT</b>

<b>LARRYE J. WHITE</b>	§	<b>THIRD-PARTY PLAINTIFF</b>
	§	
<b>v.</b>	§	
	§	
<b>ALBERT W. SMALL</b>	§	<b>THIRD-PARTY DEFENDANT</b>

**FINAL JUDGMENT**

This matter came on to be heard on the Motion to Dismiss Third-Party Defendant Albert Small's Cross-claim [39] and Motion for Judgment on the Pleadings [41], both filed by Plaintiff Time Insurance Company, as well as the Motion to Dismiss Third-Party Demand, filed by Third-Party Defendant Albert W. Small. The Court, after full review and consideration of these Motions, the record, the pleadings on file, and the relevant legal authorities, finds that in accord with its Orders and Reasons [85], [86], [87] entered on December 10, 2008,

**IT IS, THEREFORE, ORDERED AND ADJUDGED**, that judgment is rendered in favor of Plaintiff Time Insurance Company pursuant to FED. R. CIV. P. 12(c) on all claims raised by Plaintiff in this civil action.

**IT IS, FURTHER, ORDERED AND ADJUDGED**, that judgment is rendered in favor of Plaintiff Time Insurance Company on Defendant Larrye J. White's Counterclaim against it, and Defendant Larrye J. White's Counterclaim is

hereby **DISMISSED WITH PREJUDICE**.

**IT IS, FURTHER, ORDERED AND ADJUDGED**, that Third-Party Defendant Albert Small's Cross-claim against Plaintiff Time Insurance Company is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS, FURTHER, ORDERED AND ADJUDGED**, that Defendant Larrye J. White's claims against Third-Party Defendant Albert W. Small are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS, FURTHER, ORDERED AND ADJUDGED**, that Third-Party Defendant Albert Small's Cross-claim and/or Counterclaim against Defendant/Third-Party Plaintiff Larrye J. White is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS, FURTHER, ORDERED AND ADJUDGED**, that any remaining pending motions are hereby **DENIED AS MOOT**.

**SO ORDERED AND ADJUDGED**, this the 10<sup>th</sup> day of December, 2008.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE